

AF  
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PATENT: Mail Stop AF

Customer No. 22,852

Attorney Docket No. 02860.0656-00000

## BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: )  
Shigeru HOSOE et al. ) Group Art Unit: 2653  
Application No.: 09/670,839 )  
Examiner: A. Psitos  
Filed: September 28, 2000 )  
For: OPTICAL ELEMENT HAVING A Confirmation No.: 7690  
LOW SURFACE ROUGHNESS, )  
AN OPTICAL PICKUP DEVICE )  
INCLUDING THE OPTICAL )  
ELEMENT, AND A DIE FOR )  
MAKING THE OPTICAL )  
ELEMENT )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Mail Stop AF

### NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31

Sir:

Applicants appeal to the Board of Patent Appeals and Interferences from the Examiner's decision mailed March 31, 2005.

The item(s) checked below are appropriate:

1.  A Petition for extension of time to respond to the final rejection was filed on [Date] extending the period for response to [Date].
2.  A Petition for extension of time to further extend the period for response to [Date] is enclosed together with a fee of \$[Fee].
3.  The Appeal Fee of \$500.00 (or \$250.00 if by small entity)  
 is enclosed or  is to be charged to Deposit Account No. 06-0916
4.  A check for \$500.00 to cover the above fees is enclosed.

06/30/2005 SSITHIB1 00000152 09670839

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500.00 DP

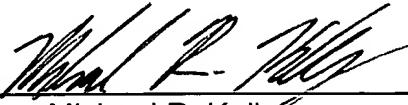
Please grant any extensions of time required to enter this response and charge  
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 29, 2005

By:

  
Michael R. Kelly  
Reg. No. 33,921

Finnegan, Henderson, Farabow,  
Garrett & Dunner, L.L.P.  
Customer No. 22,852